

EAJA also helps deter government inaction or erroneous conduct and encourages all parties, not just those with resources to hire legal counsel, to assert their rights.

Generally, it has been concluded by policy experts that EAJA has been cost-effective, applies only to meritorious litigation and that existing legal safeguards and the independent discretion of federal judges will continue to ensure its prudent application.

Nonetheless, the good intentions that brought the EAJA into law have been overshadowed by re-occurring accounts of misuse by a small percentage of large environmental groups.

A 2011 GAO study (requested by House Republicans) of cases brought against EPA found: 1. most environment lawsuits (48%) were brought by trade associations and private companies; 2. attorney fees were awarded only about eight percent of the time; 3. among environmental plaintiffs, the majority of cases were brought by local groups rather than national groups; and 4. the average award under the EAJA was only about \$100,000.

Thus, while claims of misuse and abuse are largely misplaced, I urge my colleagues to support this request for further review and analysis, so that we may gain a better understanding and congressional clarity on the functional benefits and necessary workings of the EAJA.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, H.R. 3279, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

## IMPROVING CONGRESSIONAL CHARTER OF THE DISABLED AMERICAN VETERANS

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1755) to amend title 36, United States Code, to make certain improvements in the congressional charter of the Disabled American Veterans, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1755

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. CONGRESSIONAL CHARTER OF DISABLED AMERICAN VETERANS.

(a) PURPOSES.—Section 50302 of title 36, United States Code, is amended—

(1) in the matter preceding paragraph (1), by striking “The purposes of the corporation are—” and inserting “The corporation is organized exclusively for charitable and educational purposes. The purposes of the corporation shall include—”;

(2) in paragraph (6), by striking “and” at the end;

(3) by redesignating paragraph (7) as paragraph (9); and

(4) by inserting after paragraph (6) the following new paragraphs:

“(7) to educate the public about the sacrifices and needs of disabled veterans;

“(8) to educate disabled veterans about the benefits and resources available to them; and”.

(b) DISSOLUTION.—Chapter 503 of such title is amended by adding at the end the following new section:

#### “§ 50309. Dissolution

“On dissolution or final liquidation of the corporation, any assets remaining after the discharge or satisfactory provision for the discharge of all liabilities shall be transferred to the Secretary of Veterans Affairs for the care of disabled veterans.”.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 503 of such title is amended by inserting after the item relating to section 50308 the following: “50309. Dissolution.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Puerto Rico (Mr. PIERLUISI) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

#### GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous materials on H.R. 1755, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GOODLATTE. Mr. Speaker, I yield myself such time as I may consume.

Since 1920, Disabled American Veterans has been serving American veterans who were wounded in the line of duty. It provides free assistance to veterans and their families in obtaining Federal benefits and services earned through military service.

It represents the interests of disabled veterans, their families, their widowed spouses, and their orphans before the Federal, State, and local governments. And it provides a structure through which disabled veterans can express their compassion for their fellow veterans through a variety of volunteer programs.

The organization received a Federal charter in 1932. DAV is seeking the enactment of H.R. 1755, which will amend its charter to help clarify DAV's charitable mission, explain the educational component of its mission, and mandate the assignment of its assets to the Department of Veterans Affairs in the event of its dissolution. These changes will aid DAV in its transition to a 501(c)(3) organization.

As the organization explains:

For decades, DAV has been exempt from Federal taxation under section 501(c)(4) of the Internal Revenue Code . . . Donations to most 501(c)(4) organizations are not deductible for income or estate tax purposes. DAV is a rare exception, as it qualifies to receive deductible contributions as a “war veterans” organization.

Many donors, even sophisticated donors, believe incorrectly that charitable deduc-

tions are available only for gifts made to a 501(c)(3) organization, more commonly known as a “public charity.” We believe that this misconception has been limiting DAV's opportunities to gain corporate support and major gifts, including bequests.

There is no doubt that DAV's activities of service to wounded and disabled veterans would enable it to qualify as a public charity, exempt from taxation under section 501(c)(3) of the Internal Revenue Code.

To achieve that designation, the organization needs to make application to the Internal Revenue Service. The application requires that certain language be included in the “organizing document,” which, in our case, is the Federal charter.

We can help DAV carry out its vital mission through this legislation. I commend Representative MILLER for introducing the bill, and I urge my colleagues to support it.

I reserve the balance of my time.

Mr. PIERLUISI. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 1755, which makes a small but important change to the Federal charter of the Disabled American Veterans. Once this bill becomes law, that Federal charter will better describe the mission and actual practice of the organization today.

In response to the thousands of veterans who returned home after having made considerable sacrifices during World War I, the Disabled American Veterans was established in 1920. Currently, the organization serves our disabled veterans by helping them access all of the benefits available to them, by fighting for their interests in Washington, D.C., and by educating the public about the sacrifices they made.

This organization remains today every bit as important as it was at the time of its founding 95 years ago. H.R. 1755 simply makes clear that the mission of the Disabled American Veterans is exclusively a charitable one.

I urge my colleagues to support H.R. 1755, which amends the Disabled American Veterans' charter.

Mr. Speaker, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 1755, a bill which modifies the congressional charter for the Disabled American Veterans (DAV) to expand the purposes of the organization to include educating the public about the sacrifices and needs of disabled veterans, as well as educating disabled veterans about the benefits and resources available to them.

If enacted into law, H.R. 1755 modifies the DAV charter to make explicit that the organization is organized exclusively for charitable and educational purposes, a change that would allow the DAV to qualify as a “public charity” under the Internal Revenue Code.

The legislation also provides that upon dissolution or final liquidation of the Disabled American Veterans, any assets remaining would be transferred to the Department of Veterans Affairs for the care of disabled veterans.

Since its founding in 1920, the Disabled American Veterans has been dedicated to a single purpose: empowering disabled veterans to lead high-quality lives with respect and dignity.

Mr. Speaker, under DAV's existing congressional charter, an individual generally is eligible for membership in the organization if he or she was wounded, gassed, injured or disabled in the line of duty during time of war while serving in the U.S. military.

DAV works to ensure that veterans and their families can access the full range of benefits available to them and advocates for the interests of America's injured heroes and their families.

Most important, DAV educates the public about the great sacrifices and needs of veterans transitioning back to civilian life.

On the battlefield, the military pledges to leave no soldier behind.

As a nation, let it be our pledge that when they return home, we leave no veteran behind.

Mr. Speaker, I support H.R. 1755 because it is an important affirmation of our commitment to honor the service of disabled veterans with actions that fulfill our commitment to them and their families, and which are worthy of a grateful nation.

This is also the reason that I co-sponsored the H.R. 333, the Disabled Veterans Tax Termination Act, which increases veteran's pay and disability compensation and maintains secure, dependable and reliable veterans' programs, especially for disabled veterans is very important.

And it is why I also strongly supported and voted to pass H.R. 3202, the Veterans Access, Choice, and Accountability Act of 2014, which expands access to health care for veterans, addresses the shortage of health professionals in the VA, ensures access to care for rural veterans, and provided funding to establish 27 new VA clinics, including a new research facility in Houston.

And it is why as Chair of the Homeland Security Subcommittee on Transportation Security, I championed the Helping Heroes Fly Act (H.R. 1344), which improves airport security screening for wounded and severely disabled service members and veterans by ensuring personal privacy and consistent application of efficient screening procedures so that our selfless disabled veterans never again have to face lengthy, invasive, and even humiliating screening procedures at our airports.

I urge all Members to join me in voting to pass H.R. 1755.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, H.R. 1755, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### REMOVAL OF USE RESTRICTION ON CERTAIN LAND TRANSFERRED TO ROCKINGHAM COUNTY, VIRGINIA

Mr. LAMALFA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2288) to remove the use restrictions on certain land transferred to Rockingham County, Virginia, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2288

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. REMOVAL OF USE RESTRICTION.

*Public Law 101-479 (104 Stat. 1158) is amended—*

*(1) by striking section 2(d); and*

*(2) by adding the following new section at the end:*

#### "SEC. 4. REMOVAL OF USE RESTRICTION.

*"(a) The approximately 1-acre portion of the land referred to in section 3 that is used for purposes of a child care center, as authorized by this Act, shall not be subject to the use restriction imposed in the deed referred to in section 3.*

*"(b) Upon enactment of this section, the Secretary of the Interior shall execute an instrument to carry out subsection (a)."*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. LAMALFA) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from California.

#### GENERAL LEAVE

Mr. LAMALFA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LAMALFA. Mr. Speaker, I yield myself such time as I may consume.

H.R. 2288 removes a use restriction from the deed of an approximately 1-acre portion of land. The property was transferred to Rockingham County, Virginia, in 1989 to construct a child care facility.

H.R. 2288 would remove the restrictions on the land so that any necessary upgrades may be made to the Plains Area Daycare Center in Broadway, Virginia, which provides child care for families who otherwise could not afford it.

I reserve the balance of my time.

Mr. GRIJALVA. Mr. Speaker, I yield myself such time as I may consume.

H.R. 2288 removes the use restriction on a 1-acre parcel of Federal land provided to Rockingham County, Virginia.

As was stated, in 1989, Congress authorized Rockingham County to use a 3-acre parcel of Federal land for the purpose of establishing a child care center under the condition that the land continues to be used for this purpose. If the county no longer needs the land for a child care center, the land reverts back to ownership by the United States or the county has the option to purchase it at fair market value.

The Federal Government has a long tradition of providing public land to State, county, and local governments. The fair use of Federal land and a fair return to the American taxpayer has to be at the forefront of these transactions. Removing public-purpose requirements and use restrictions should

only be done when it is deemed appropriate and necessary.

In this particular case, the sponsor of this legislation has worked with the National Park Service to develop legislation that is both fair and transparent.

The land provided to Rockingham County includes a garage that was previously used by the National Park Service that the county has determined could benefit the Plains Area Daycare Center. The Park Service no longer needs the garage, and removing the use restriction on 1 of the 3 acres will allow this child care provider to access financial assistance in order to upgrade and rehabilitate the garage so it is suitable for its needs.

This is a worthy goal. We support the adoption of H.R. 2288 and congratulate the sponsor of the legislation for it.

I reserve the balance of my time.

Mr. LAMALFA. Mr. Speaker, I yield 4 minutes to the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. I thank the gentleman from California for yielding me this time.

And I thank the chairman of the Natural Resources Committee, the gentleman from Utah (Mr. BISHOP), for moving this legislation through the Natural Resources Committee and to the floor.

Mr. Speaker, I rise today to urge the passage of H.R. 2288. This bill simply removes 20-year-old deed use restrictions on 1 acre of land.

For over 25 years, a little over 3 acres of land and its associated buildings, which were previously wholly held by the Federal Government, have been maintained by Rockingham County and the Plains Area Daycare Center in my congressional district, the Sixth District of Virginia.

In 1989, the Federal Government deeded these 3 acres of land, with restriction, to Rockingham County. But even prior to this official declaration, Rockingham County had already been faithfully maintaining the property, which the Federal Government no longer utilized. The property had previously been used as a garage and maintenance facility for the United States Forest Service.

When the government transferred this land to Rockingham County in 1989, the condition was that this property was to be used for public purposes. The county decided that the nonprofit Plains Area Daycare Center in Broadway, Virginia, which provides child care on a sliding scale to many families who otherwise could not afford child care, would benefit from the use of the old garage. Therefore, Congress enacted Public Law 101-479, which allowed the deed to be changed from public use to the particular use of the child care center.

Donations by the community, totaling \$75,000, turned the garage building into a nursery, a daycare, and an after-school care facility. Additionally, the creation of the daycare center provided